

EXHIBIT M

STATE OF NEW YORK
SUPREME COURT COUNTY OF MONROE

ALEXBAY, LLC,

Plaintiff,

-VS.-

EBER BROS. WINE & LIQUOR CORP.;
SOUTHERN WINE & SPIRITS OF AMERICA, INC.;
EBER BROS. WINE & LIQUOR METRO, INC.; and
JOHN DOES 1 – 10, being fictitious names intended to
designate other entities or persons claiming any interest
in Eber Bros. Wine & Liquor, Inc.'s "OWNERSHIP
INTEREST IN EBER BROS. WINE & LIQUOR
METRO, INC.";

Defendants.

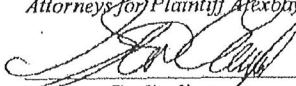
NOTICE OF ENTRY

Index No.: 2012-1919

PLEASE TAKE NOTICE that the annexed Order is a true and complete copy and was duly
entered in the office of the Clerk of the County of Monroe on the 23rd day of May, 2012.

DATED: May 24, 2012
 Rochester, New York

UNDERBERG & KESSLER LLP
Attorneys for Plaintiff Alexbay LLC


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TO: Thomas R. Smith
 BOND SCHOENECK KING, PLLC
 Attorneys for Defendant Southern Wine & Spirits of America, Inc.
 One Lincoln Center, 110 W. Fayette St.
 Syracuse, New York 13202-1355

MARINO A. FERNANDEZ, JR., ESQ.
Attorney for the Eber Bros. Defendants
1 East Main Street, 10th Floor
Rochester, New York 14614
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MONROE COUNTY CLERK

At a Term of this Court held in and for the County of Monroe at the Monroe County Supreme Court, Commercial Part, 545 Hall of Justice, Rochester, NY 14614 on the 10th day of May, 2012.

PRESENT: HON. MATTHEW A. ROSENBAUM, J.S.C.
Supreme Court Justice Presiding

STATE OF NEW YORK
SUPREME COURT COUNTY OF MONROE

ALEXBAY, LLC,

Plaintiff,

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-vs.-

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interest in Eber Bros. Wine & Liquor, Inc.'s
"OWNERSHIP INTEREST IN EBER BROS. WINE &
LIQUOR METRO, INC.";

Defendants.

ORDER


Plaintiff, Alexbay, LLC, having brought a Motion seeking an Order determining that Plaintiff's proposed acceptance of certain collateral, in full satisfaction of an obligation owed to Plaintiff, is "commercially reasonable" as the term is defined in the Uniform Commercial Code; and awarding such other and further relief as the Court deems just, equitable and proper,

NOW UPON reading the Notice of Motion dated March 15, 2012, on behalf of Plaintiff in support of the Motion, together with the Affidavit of Lester Eber, sworn to the 14th day of March, 2012, together with exhibits thereto, in support of Plaintiff's Motion, and having no opposition thereto, it is hereby

ORDERED, that part of Plaintiff's Motion seeking a determination that Alexbay's acceptance of certain collateral in full satisfaction of Eber Bros' obligation is "Commercially Reasonable" under the Uniform Commercial Code is GRANTED, and it is further

ORDERED, that part of Plaintiff's Motion seeking dismissal of Defendant Southern Wine & Spirits of America, Inc. from this action is GRANTED.

Dated: May 11, 2012


HON. MATTHEW A. ROSENBAUM
Supreme Court Justice

ENTERED: 5/23/12